

REMARKS

Claims 1-12, 14, 16, 18 and 19 were presented for examination. Claims 1-12, 14, 16, 18 and 19 were rejected. Reconsideration of this application and allowance of all pending claims are hereby respectfully requested in view of the following remarks.

The Applicant would like to thank the Examiner for the telephone interview conducted on April 6, 2005. In the interview, the rejection of the pending claims in view of Emma was discussed. In particular, the Examiner agreed to withdraw the finality of the previous Office Action and reconsider the pending claims because Emma fails to disclose or to suggest an instruction translator that provides instructions to a processor that is “configured to execute instructions only in said first instruction architecture” as recited in the claims.

Emma describes an arrangement for extending an instruction set architecture to encompass new instructions. In Emma, when a sequence of conventional instructions can be translated into extended architecture instructions, the resulting translated instructions are stored in the extended instruction (EI) cache (*see* Emma at FIG. 5 and col. 12, lines 17-23). The instruction (I) cache stores the conventional instructions. During a fetch operation, the EI cache is first accessed to determine if a corresponding translated instruction exists. If a translated instruction exists, then it is provided to the processor for execution. If a translated instruction does not exist, the conventional instruction is provided from the I cache to the processor for execution (*see* Emma at col. 12, lines 3-13).

Furthermore, in Emma the software interface (or program instructions generated by the compiler) remains the same as it was before the introduction of the extended architecture (*see* Emma at col. 8, lines 61-64 and col. 10, lines 10-17). That is, the main memory includes

Application No.: 09/756,863

program instructions in only the old architecture and the hardware or processor translates certain old instructions into new instructions in order to execute them faster. Therefore, the processor executes both old and new instructions.

Accordingly, because Emma fails to disclose or to suggest an instruction translator that provides instructions to a processor that is "configured to execute instructions only in said first instruction architecture" as recited in the claims, the imposed rejection should be withdrawn.

If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicant's representative at the telephone number shown below.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Richard E. Brown
Registration No. 47,453

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 REB:lg
Facsimile: 202.756.8087
Date: May 13, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**